

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHAVONNE TUCKER, et al.,

Plaintiffs,

-against-

INTERNATIONAL PROACTIVE
SECURITY, INC.,

Defendant.

23-CV-02946 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

In their October 12, 2023 letter, plaintiffs indicate that on information and belief one of the members of Fisher Brother Management Co., LLC is a long-time resident of New York. Dkt. 31 at 2. Plaintiffs appear to believe this individual would be a citizen of New York based on his residency. If that is plaintiffs’ understanding based on the available facts, and if plaintiffs wish to continue to pursue their motion for joinder and remand, plaintiffs must file a declaration from plaintiffs’ counsel, under 28 U.S.C. § 1746, stating on information and belief that the individual referenced in plaintiffs’ letter is a member of the LLC in question and a citizen of New York by **Monday, October 16, 2023.**¹

[ADDITIONAL ORDER TEXT ON NEXT PAGE]

¹ Plaintiffs’ reference to the admission by Total Safety Consulting, LLC that it is a “domestic limited liability corporation” is insufficient to show the LLC’s citizenship. As already explained, “plaintiffs must allege the citizenship of natural persons who are members of an LLC and the place of incorporation and principal place of business of any corporate entities that are members of the LLC.” *See* Dkt. 26.

If the declaration is filed on time by plaintiffs, defendant (or any other third party) may file a declaration on or before Monday, October 23, 2023, stating any reasons why joinder of the state-court defendants would not destroy this Court's diversity jurisdiction. If plaintiffs fail to file the required declaration on time, the motion for joinder and remand will be denied. No further extensions will be granted.

SO ORDERED.

Dated: October 13, 2023
New York, New York

A handwritten signature in dark ink, appearing to read 'Arun Subramanian', is written over a horizontal line.

ARUN SUBRAMANIAN
United States District Judge